

House File 2143 - Introduced

HOUSE FILE _____
BY WESSEL=KROESCHELL

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring school districts to provide transportation to
2 students who are not entitled to free transportation.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5168HH 82
5 kh/sc/14

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1 1 Section 1. Section 285.1, subsections 1 and 2, Code
1 2 Supplement 2007, are amended to read as follows:
1 3 1. a. The board of directors in every school district
1 4 shall provide transportation, either directly or by
1 5 reimbursement for transportation, for all resident pupils
1 6 attending public school, kindergarten through twelfth grade,
1 7 except that:
1 8 ~~a-~~ (1) Elementary pupils shall be entitled to
1 9 transportation only if they live more than two miles from the
1 10 school designated for attendance.
1 11 ~~b-~~ (2) High school pupils shall be entitled to
1 12 transportation only if they live more than three miles from
1 13 the school designated for attendance.
1 14 ~~c-~~ (3) Children attending prekindergarten programs
1 15 offered or sponsored by the district or nonpublic school and
1 16 approved by the department of education or department of human
1 17 services or children participating in preschool in an approved
1 18 local program under chapter 256C may be provided
1 19 transportation services. However, transportation services
1 20 provided nonpublic school children are not eligible for
1 21 reimbursement under this chapter.
1 22 ~~d-~~ (4) Districts are not required to maintain seating
1 23 space on school buses for students who are otherwise to be
1 24 provided transportation under this subsection if the students
1 25 do not or will not regularly utilize the district's
1 26 transportation service for extended periods during the school
1 27 year. The student, or the student's parent or legal guardian
1 28 if the student is less than eighteen years of age, shall be
1 29 notified by the district before transportation services may be
1 30 suspended, and the suspension may continue until the student,
1 31 or the student's parent or legal guardian, notifies the
1 32 district that regular student ridership will continue.
1 33 ~~For the purposes of this subsection, high school means a~~
~~1 34 school which commences with either grade nine or grade ten, as~~
~~1 35 determined by the board of directors of the school district or~~
~~2 1 by the governing authority of the nonpublic school in the case~~
~~2 2 of nonpublic schools.~~
2 3 b. Boards in their discretion may provide transportation
2 4 for some or all resident pupils attending public school or
2 5 pupils who attend nonpublic schools who are not entitled to
2 6 transportation. Boards in their discretion may collect from
2 7 the parent or guardian of the pupil not more than the pro rata
2 8 cost for such optional transportation, determined as provided
2 9 in subsection 12.
2 10 c. An elementary or high school pupil who is not entitled
2 11 to free transportation shall be provided transportation
2 12 services if the pupil's parent or legal guardian submits a
2 13 written request to the school district and pays the school
2 14 district the pro rata cost for the transportation services,
2 15 determined as provided in subsection 12.
2 16 d. For the purposes of this subsection, "high school"
2 17 means a school which commences with either grade nine or grade
2 18 ten, as determined by the board of directors of the school
2 19 district or by the governing authority of the nonpublic school
2 20 in the case of nonpublic schools.

2 21 2. Any pupil may be required to meet a school bus on the
2 22 approved route a distance of not to exceed ~~three-fourths~~
2 23 one-third of a mile without reimbursement.
2 24 Sec. 2. STATE MANDATE FUNDING SPECIFIED. In accordance
2 25 with section 25B.2, subsection 3, the state cost of requiring
2 26 compliance with any state mandate included in this Act shall
2 27 be paid by a school district from state school foundation aid
2 28 received by the school district under section 257.16. This
2 29 specification of the payment of the state cost shall be deemed
2 30 to meet all of the state funding-related requirements of
2 31 section 25B.2, subsection 3, and no additional state funding
2 32 shall be necessary for the full implementation of this Act by
2 33 and enforcement of this Act against all affected school
2 34 districts.

2 35 EXPLANATION

3 1 This bill requires the board of directors of a school
3 2 district to provide transportation services to an elementary
3 3 or high school pupil, though the pupil is not entitled to free
3 4 transportation services, if the pupil's parent or legal
3 5 guardian submits a written request to the school district and
3 6 pays the school district the pro rata cost for the
3 7 transportation services. The bill also reduces, from
3 8 ~~three-fourths~~ of a mile to ~~one-third~~ of a mile, the distance a
3 9 pupil may be required to meet a school bus on the approved bus
3 10 route without reimbursement.

3 11 The bill may include a state mandate as defined in Code
3 12 section 25B.3. The bill requires that the state cost of any
3 13 state mandate included in the bill be paid by a school
3 14 district from state school foundation aid received by the
3 15 school district under Code section 257.16. The specification
3 16 is deemed to constitute state compliance with any state
3 17 mandate funding-related requirements of Code section 25B.2.
3 18 The inclusion of this specification is intended to reinstate
3 19 the requirement of political subdivisions to comply with any
3 20 state mandates included in the bill.

3 21 LSB 5168HH 82
3 22 kh/sc/14.1